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10-CV-01235-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RAYNE DEE WELLS, JR.,

Petitioner,

v.

RON VAN BOENING,

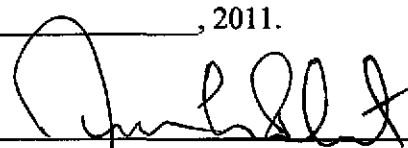
Respondent.

CASE NO. C10-1235-JLR

ORDER DENYING PETITIONER'S
HABEAS PETITION WITH
PREJUDICE

The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's answer thereto, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, Petitioner's Objections to Report and Recommendation (Dkt. 35), and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) Petitioner's habeas petition and this action are DISMISSED, with prejudice;
- (3) Petitioner is DENIED issuance of a certificate of appealability, and
- (4) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to Judge Theiler.

DATED this 17th day of April, 2011.

 JAMES L. ROBERT
 United States District Judge